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Intelligent and constructive  
services rendered labor...

Albany [N.Y.]

[1916?]

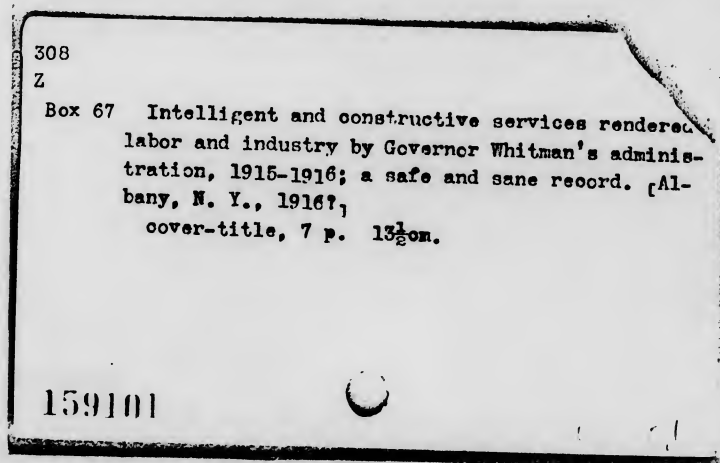
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INTELLIGENT AND  
CONSTRUCTIVE SERVICES

RENDERED

LABOR AND  
INDUSTRY

BY

Governor Whitman's  
Administration

1915-1916

A SAFE AND SANE RECORD

# LABOR AND INDUSTRY

## SERVICES ON BEHALF OF LABOR

Seldom has the cause of labor had so much reason to be congratulated upon a sane, efficient and humane administration at Albany as it has had during the past twenty months of the administration of Governor Whitman. He has stood resolutely for wise and well considered laws for safeguarding the interests of the wage earners of the State and unflinchingly has opposed all efforts to break down or weaken those safeguards.

Governor Whitman has in practice exemplified the great declaration of his distinguished predecessor, Governor Charles E. Hughes, who in one of his messages said: "The interests of labor are the interests of all the people."

In his first message to the Legislature, Governor Whitman called attention to the deplorable conditions existing in the Department of Labor and the Workmen's Compensation Commission, and declared that the departments were filled with unnecessary and incompetent employees, requiring an immediate reorganization in the interest of economy and efficiency.

The Governor gave practical effect to this message by approving the bill for the creation of an Industrial Commission, consolidating the Department of Labor and the Workmen's Compensation Commission, abolishing the position of Commissioner of Labor, the positions of Compensation Commissioners and the ineffective Industrial Board of the former Labor Department, which board was wasteful of time and money and had become a mere instrument of the Democratic Party.

At the head of all the State activities affecting the interests of the workmen and employers, there was placed an Industrial Commission composed of five members and to prevent this great department from ever again becoming a football of party politics, a provision was inserted that not more than three of the five commissioners should be members of the same political party. To further emphasize his sympathy with the workman's ideals and aims, Governor

3 March, 1920 - C.R.W.

Whitman appointed as chairman of the Industrial Commission, John Mitchell of Mt. Vernon, the former president of the Mine Workers' Union of America, and one of the foremost exponents of the cause of labor. Associated with Chairman Mitchell the Governor appointed James M. Lynch of Syracuse, former president of the International Typographical Union and the former Commissioner of Labor. Neither was a member of the same political party as the Governor.

As the other Industrial Commissioners, the Governor appointed William H. H. Rogers of Rochester, and Louis Ward of Batavia, both large employers of labor and men of progressive ideals with a practical knowledge of the difficulties to be met from the standpoint both of the manufacturers and the employees. For the fifth member of the Commission the Governor appointed a lawyer of large experience and fine attainments, Edward P. Lyon of Brooklyn.

So vastly important were the interests involved in this great consolidated department, touching so intimately both the lives, well-being and property of the employee and employer, that the statute very wisely provided for the appointment by the Governor of an Advisory Council to consider matters of general policy and to advise the Commission with respect to them. This Industrial Council is composed of ten members, five of whom must at all times be bona fide representatives of labor, and five must represent the interests of employers. The interests of labor were carefully conserved by the Governor in his appointments on this council, among the labor members being James P. Holland, the president of the State Federation of Labor. He also appointed on the council Miss Melinda Scott, president of the Women's Trade Union League, who is particularly well qualified to look after the welfare of the vast body of women wage earners.

The Industrial Commission, with the advice and help of the Industrial Council, has made great strides in consolidating and reorganizing the two great departments and in administering the great laws providing for the safe-guarding of the interests of the wage earner and for the payment of just compensation to injured workmen and their dependents. The consolidated departments have been efficiently and economically administered in the interest of all the people.

Among the bills approved by Governor Whitman in the interest of the wage earners were the provisions for the direct settlement of compensation claims and providing for

advance payments by employers. The experience of more than a year in the operation of these laws has proved them to be of the greatest value to the wage earner. Compensation may now be arranged between the employee and his employer by agreement without waiting for the long and sometimes tedious process of hearing by the Commission and an award with the possibilities of appeal and other delays.

All such agreements, however, are inspected and carefully examined by the Industrial Commission to make certain that in no case is an employee permitted to compromise his claim for anything less than the full amount provided by law. The advance payment feature has also worked a great advantage, especially in the relief of distressing cases and an employer may now make payment to his injured employee or the dependents immediately and from time to time as necessity arises, the employer receiving full credit when an award is made for all advance payments made by him. In thousands of cases, however, such advance payments have brought bread to the mouths of the hungry and prevented families from being dispossessed, which might have occurred had the employer been compelled to wait until a hearing and determination of the claim for compensation had been made.

In the Legislature of 1916, the Workmen's Compensation Law was amended in many particulars and vastly strengthened and extended. The bill which the Governor approved was intended to correct many serious defects and was constructive and beneficial legislation affecting employers and workmen. It extended the scope of the Workmen's Compensation Law so as to cover many hazardous employments not included in the former law and also changed the definition of the word "employee" so as to bring within the law many classes of persons who had been excluded under decision of the courts. It also brought within the scope of the law any person engaged in a hazardous employment carried on by the State itself or by any city or other subdivision of the State.

This bill also provided in the Workmen's Compensation Law for a system of optional compensation applying to all occupations and industries whether hazardous or not. This optional or elective system will enable employers and employees in the non-hazardous industries to bring themselves under the operation of the Compensation Law and will eliminate what has heretofore been a source of con-

stant litigation and will tend to establish a just and equitable method of compensating employees who have suffered an injury in the course of their employment, whether that employment is defined as hazardous or otherwise.

The Governor during the year 1916 deemed it advisable to veto the omnibus bill which amended the Labor Law in many important particulars. In his veto message, Governor Whitman said:

"While this proposed measure had some admirable features, nevertheless, it contains other amendments which are so objectionable and tend to break down and weaken the present law, that it is impossible for me to give it my approval."

In the matter of appropriations for the reconstructed Department of Labor, Governor Whitman has been sympathetic wherever the legitimate interests of the department or the necessities of the law have required it. He has, however, resolutely stood by his declarations that the Department of Labor and the Workmen's Compensation Commission were extravagant in their former administration and filled with useless and high paid officials. With this in mind, he struck out appropriations for positions which he deemed unnecessary and which were found to be useless. While in doing so he may have alienated the support of many former employees and their friends, there is no doubt that he will have the earnest support and approval of the great mass of people of the State who believe that the business of the State should be conducted on economical principles and with the same regard for efficiency as would be the case in a privately managed business.

The several departments, whose duties were taken over by the State Industrial Commission, had asked for appropriations aggregating \$1,616,120. Although the Commission was given only \$881,822.19 by the Legislature to carry it over the rest of the fiscal year, yet it saved \$180,000 out of this amount.

Based upon its expenditures for five months of its existence, the State Industrial Commission asked for an appropriation of \$1,252,410 for the present fiscal year. As compared with the budget estimates of the consolidated departments prior to the consolidation, this represents a saving of \$363,710. As compared with actual expenditures of the

old departments prior to the consolidation, it represents a saving of \$214,852.

Governor Whitman, in commenting upon the report, said: "I believe that this has been accomplished by the Commission not only without impairment of the activities of the departments, but with a very great gain in efficiency due to the consolidation of numerous bureaus and elimination of unnecessary detail."

## A WORD ON THE NATIONAL SITUATION

### SAVED BY WAR

The most careful surveys showed that where there was one man unemployed in 1913-14 there were two unemployed during the winter of 1914-15. Without exaggeration, it is conceded by those familiar with conditions that one out of every five bread winners was unemployed. This unemployment was concentrated in cities primarily, but the small towns and villages also felt the shock and found it necessary to organize relief measures.

An official canvass in Philadelphia showed 200,000 men unemployed; the house-to-house canvass of the Metropolitan Insurance Co., of its policyholders in New York, thrifty people ordinarily, gave the basis for an estimate of 357,000 men and women out of work in the entire city. The labor organizations in New York City estimated that 472,102 were either out of work or on part time. In Chicago in January the municipal markets commission estimated 189,866 out of work. A Cleveland survey in December showed 61,000 unemployed. The city charities in Philadelphia estimated that Philadelphia's unemployed numbered 175,000.

### UNEMPLOYMENT

It was only the outbreak of the European War that saved this country from the continuation of such conditions and the multiplied evils of a protracted depression. The need of

supplying great armies in the field prevented foreign countries from taking advantage of the low rate of the democratic tariff and left our home markets largely to our own people. Purchasers in this country of war munitions and supplies, reaching perhaps the enormous sum of \$3,000,000,000, called the unemployed back into the mills and factories, and saved us temporarily from the worst effects of the Wilson-Underwood law.

The American people do not want to base their prosperity on the misfortunes of others. They want sane legislation, not a European conflagration as the basis of their employment and prosperity. And it is time now to plan for such legislation. The war cannot last forever. At its close the gallant men who have carried the war banners on hard fought battlefields will again take up the pursuits of peace. The aim of the European countries will be to make goods for the world's markets instead of making war upon each other.

The great need of building up their industries, of recovering their place in the commerce of the world, of providing employment for millions of men released from service in the army, will place upon the European countries a pressure to seek foreign markets such as they have never known before.

The industrial plants of England, France and Germany have not been wrecked nor ruined by the war. They are more efficient now than before. England is supplying a large part of the needs of her army and the armies of the Allies, and is exporting about her usual quantity of goods. In France, notwithstanding the burdens of war that she has had to carry, 80 per cent of her industries are in effective operation. Germany's wonderful industrial system is stronger than it was before the war, and her mills and factories have not been harmed.

We are living in a fool's paradise if we think that there is no danger of an industrial invasion at the end of the war. We have the money of the world, the richest market on earth, and England, France and Germany will rush their goods here for sale at cost, or below cost if necessary, to convert their labor into gold. The Democratic tariff policy which was a "dismal failure" before the outbreak of the war will be utterly powerless to safeguard our workmen and our industries.

This country needs as it never needed before a protective tariff. Safety First should be our aim, and America First our watchword. In the army of industrial defence every patriotic American should enlist; not to wound and maim and kill, but to bring to our country protection and prosperity.

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